

Special Executive Meeting 11 November 2021: Draft Minute Extract:

E.60/21 GARDEN WASTE COLLECTIONS

(a) The Overview and Scrutiny Committee Concerns

The lead Executive Member made reference to each of the concerns raised by the Committee and provided the following additional comments:

Overview and Scrutiny Concern 1:

There was insufficient consideration and/or reporting given to the implementation of Option 3 being the use of an alternative provider and in particular the possibility of the garden waste collection being taken back in-house.

Executive Comments:

In addition to the details in the published agenda report, Officers and the Lead Executive Member provided a comprehensive update at the Executive meeting held on 14 October 2021 of the process and investigations undertaken to assess what was operationally feasible within a realistic timescale.

Overview and Scrutiny Concerns 2 and 3:

The supporting report incorrectly states that there are no financial implications arising. The suspension of the garden waste collection service from mid-August 2021 until Spring 2022 will in all probability have financial implications; and

There was insufficient consideration and/or reporting given to the provisions of the contract with FCC.

Executive Comments:

The Council has followed the correct contractual procedure regarding the suspension of the Garden Waste Service. That process is a formal contractual change notice issued on 22nd October.

Overview and Scrutiny Concern 4:

The decision to suspend the garden waste collection until an open-ended spring date leaves many residents with their brown bins containing waste for an indefinite period.

Executive Comments:

At its meeting held on 14th October 2021, the Executive resolved to produce a letter to be sent to all residents. That letter was then delivered to all residents during the week commencing 1st November 2021;

Draft minute E.56/51 states “That delegated authority be granted to the Director for Customer Service and Delivery, in consultation with the Leader of Council and the lead Executive Member, to produce a letter to be sent on behalf of the Executive to all residents in the South Hams that provides an update on the waste and recycling collection service.”

The Executive has asked Officers to continue to explore options for carrying out a collection – recommendation 3 in the current report.

Paragraph 4.4 of the published agenda report for this Special Executive Meeting states “The Executive has asked FCC to provide a detailed plan to the Council by 31 December for restarting the service by 31 March 2022 or sooner.”

Overview and Scrutiny Concern 5:

Council tax levied by the Council includes a sum for the collection of garden waste and yet taxpayers are not receiving a service for which they have paid for.

Executive Comments:

To explain the background of the Council Tax legislation, Council Tax is partly a form of general taxation on a property and partly a tax on the people living in a property. Council Tax funds essential services in an area and the cost of the public services is spread across all tax payers in the same way, regardless of which services they use or receive;

*So when you pay your council tax, it is not as simple as paying for and receiving a service. By law, the Council is unable to give a Council Tax discount to households that may not receive a specific service or receive a poor service. Therefore, we are not able to offer any reduction in your council tax bill as council tax **is a form of general taxation** rather than a service charge.*

We continue to prioritise the services which we have a statutory duty to provide, such as refuse and recycling collections. Garden waste is a non-statutory service which has been provided at the Council's discretion.

Unfortunately we are not able to offer a refund of Council Tax. Council Tax is a way of funding councils, and other statutory agencies, for the varied services they provide. Waste collections are only one of the many services we provide as a District Council. It is not the same as having a contract for one specific service.

The Executive proceeded to confirm its support for these comments to be formally presented alongside the concerns of the Overview and Scrutiny Committee at the Full Council Meeting to be held on 25 November 2021.